

§ 3192.3 Activities not authorized under cooperative agreements.

§ 3192.3-1 Assessments and penalties.

Imposition of assessments and penalties provided for in 43 CFR 3163.1 and 43 CFR 3163.2 and 3163.3, respectively, including assessments imposed as a result of Notices of Incidents of Non-compliance shall be the responsibility of the BLM.

§ 3192.3-2 Collections.

Collections of assessments and penalties, and collection of any other payments required in this part, shall be the responsibility of the BLM.

§ 3192.4 State and Indian inspectors.

§ 3192.4-1 Selection of inspectors.

(a) States and tribes shall select the inspector candidates to participate in the cooperative agreement program.

(b) Continued inspector participation in the program is contingent upon satisfactory completion of required training, certification, and satisfactory performance of activities carried out under the agreement.

§ 3192.4-2 Training.

(a) BLM shall schedule appropriate classroom and on-the-job training for State and Indian inspectors.

(b) BLM shall be required to train only those inspectors participating in a cooperative agreement.

(c) States and tribes shall ensure that State and Indian inspectors participating in the inspection program attend the appropriate training as required.

(d) Nomination of State and Indian inspectors for training shall be coordinated through the appropriate BLM State or District Office.

§ 3192.4-3 Inspector identification cards.

(a) Inspector identification cards shall be issued by BLM to those State and Indian inspectors who are qualified and are participating in inspection activities under a cooperative agreement. These cards shall identify State and Indian inspectors as representatives of the Secretary of the Interior.

(b) Identification cards remain the property of the Federal Government and shall be surrendered upon request of the authorized officer of BLM.

§ 3192.4-4 Certification.

(a) BLM shall establish standards for certification of State and Indian inspectors no less stringent than those imposed on BLM inspectors.

(b) State and Indian inspectors shall be certified by BLM before conducting independent inspections under this part.

(c) Certification of inspectors shall be contingent upon satisfactory completion of appropriate classroom and on-the-job training.

§ 3192.4-5 Conflict of interest.

(a) State and Indian inspectors shall not inspect the operations of those companies in which they or a member of their immediate family have a direct financial interest.

(b) State and Indian inspectors shall not inspect the operations of those companies in which their immediate supervisors have a direct financial interest.

(c) Information acquired by a State or Indian inspector as a result of his/her participation in a cooperative agreement may not be used for private gain for him/herself or another person by indirect or direct action on his/her part or by counsel, recommendation or suggestion to another person.

§ 3192.5 Termination and reinstatement of agreements.

§ 3192.5-1 Termination.

(a) A cooperative agreement may be terminated at any time by mutual agreement.

(b) A cooperative agreement may be terminated unilaterally by the BLM if it has been determined that the State or tribe has failed to carry out the terms of the agreement, or upon a finding that the agreement is no longer needed.

(c) If BLM intends to terminate an agreement under § 3192.5-1(b) because of a failure on the part of the State or tribe to carry out the terms of the agreement, the reason(s) shall be specified in detail in a notice of intent to